

REMARKS

Applicants respectfully request further examination and reconsideration of the instant case in view of the instant response. Claims 1-21 remain pending in the case. No new matter has been added.

Claim Rejections35 U.S.C. §102

Claims 1, 2, 4-8, 10-16, and 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Felsman, U.S. Patent No. 6,950,952 B2, hereafter referred to as Felsman. The rejection is traversed for the following rational.

Applicants have reviewed the Examiner's Response to Arguments and maintain that Claims 1, 2, 4-8, 10-16 and 18-21 are patentable over Felsman. In particular, it is cited that in "Felsman when the latch is in the open position and the system has been placed in the mechanical off state, the system will necessarily ignore power management events." Applicants respectfully disagree that a mechanical off state is the same as "ignoring all power management events," as claimed. With the present invention, the computer system doesn't need to be in a mechanical off state to "ignore all power management events," as claimed.

With Felsman, the retention latch provides the mechanical off mode (column 3, lines 30-35) when the computer system is in the mechanical off state. However, with the present invention, the retention latch does not serve as a mechanical off. Specifically, the retention latch of the present invention is "configured to communicatively couple to a computer expansion card slot." With Felsman, the retention latch cannot "communicatively couple to a computer expansion card slot," as claimed because it serves to mechanically power off the computer system and would have no way to communicate with the expansion card slot. Applicants strongly assert that the retention latch of Felsman fails to teach or suggest the retention latch "configured to communicatively couple to a computer expansion card slot," as claimed.

Applicants maintain the rational previously presented for why Claims 1, 2, 4-8, 10-16, and 18-21 are patentable over Felsman. For instance, In Column 5, lines 32-33, Felsman teaches “upon detection of a latch event in query block 320, execution block 330 requests power adjustment.” With Felsman, detection of a latch event initiates a change in power status. Changing power status in response to detecting an open latch teaches away from “ignoring all power management events, including preventing said computer system from powering up,” as claimed.

By ignoring all power management events while a latch is in the open position, the present invention ensures that a computer system will not be powered up from a sleep mode during the installation or removal of a PCI card because the power state is not allowed to change while a latch is open. This is very different from a mechanical off mode wherein no signals can be generated.

As opposed to Felsman, a latch event initiates a power adjustment which may power-up the computer system. In fact, Felsman suggests assigning a particular power function to individual latches. In column 4, lines 1-4, Felsman teaches “if an upper latch 230a is opened the processor 220 may place all nonessential components into a sleep mode, while opening the lower latch 230b is cuts power to these components.” In column 5, lines 38-40, Felsman further teaches “the latch may be configured as a sleep button, a power button, or a mechanical power button.

By assigning automatic power adjustments to particular latches, Felsman teaches away from “ignoring all power management events,” as claimed. Felsman clearly teaches power adjustment in response to detecting a latch event. In fact, by assigning a particular function to a latch, Felsman

teaches automatic adjustment of power based on a latch position which teaches away from “ignoring power management events,” as claimed. For this rational, Claim 1 is not anticipated by Felsman. Claims 2 and 4-7 depend from independent Claim 1 and therefore Claims 2 and 4-7 are not anticipated by Felsman.

Independent Claims 8 and 15 recite similar limitations to independent Claim 1 and therefore, Claims 8, 10-16, and 18-21 are not anticipated by Felsman. As such, Claims 1, 2, 4-8, 10-16, and 18-21 are not anticipated by Felsman and allowance of Claims 1, 2, 4-8, 10-16, and 18-21 is earnestly solicited.

35 U.S.C. §103

Claims 3, 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Felsman in view of Grosser et al., U.S. Patent No. 6,182,173 B1, hereafter referred to as Grosser. The rejection is traversed for the following rational.

As stated above, Felsman fails to teach or suggest "ignoring all power management events," as claimed. In addition, Felsman fails to teach or suggest the retention latch "communicatively couple to a computer expansion card slot," as claimed. In fact, Felsman teaches away from this claimed limitation by assigning automatic power functions to individual latches and by making the retention latch a mechanical off device. Grosser fails to remedy the deficiencies of Felsman.

Grosser may purport to teach optical switches, however, Grosser fails to teach or suggest ignoring all power management events in response to detecting a latch in the open position, as claimed by embodiments of the present invention. For this rational, Claims 3, 9 and 17 are patentable over Felsman in view of Grosser and allowance of Claims 3, 9 and 17 is earnestly solicited.

CONCLUSION


In light of the above listed remarks, reconsideration of the Claims is requested. Based on the arguments presented above, it is respectfully submitted that Claims 1-21 overcome the rejections and objections of record and, therefore, allowance of Claims 1-21 is earnestly solicited.

Should the Examiner have a question regarding the instant response, the Applicants invite the Examiner to contact the Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

WAGNER, MURABITO & HAO L.L.P.

Dated: 7/26, 2006



John P. Wagner, Jr.
Registration No. 35,398

WESTRIDGE BUSINESS PARK
123 WESTRIDGE DRIVE
WATSONVILLE, CALIFORNIA 95076

(408) 938-9060